

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-4, 10-17, 23-26, 28, and 30 are canceled by this reply. Claims 48-64 are newly added. Of the newly added claims, Claims 48, 56, and 63 are independent. The remaining claims depend, directly or indirectly, from claims 48, 56, and 63.

Rejection(s) under 35 U.S.C. § 103

Claims 1-2, 4, 10-15, 17, 23-26, and 28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over DVB Document A038, "Specification for Service Information (SI) in Digital Video Broadcasting (DVB) Systems" March 1998, in view of US Patent No. 5,978,855 ("Metz"). Claims 1-2, 4, 10-15, 17, 23-26, and 28 are canceled. Thus, this rejection is now moot.

Claims 3, 16, and 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over DVB in view of Metz, and further in view of US Patent No. 6,526,508 ("Akins"). Claims 3, 16, and 30 are canceled. Thus, this rejection is now moot.

New Claims

Claims 48-64 are newly added by way of this reply. No new matter is added by way of these amendments, as support for the new claims may be found, for example, at least in the original claims and on page 1 and in the Summary of the Invention section of the Specification.

The present application relates to a transport stream carrying a plurality of services and an application data table for each application carried by the plurality of services. Each service operates more or less independently and contains all applications needed by that service. The use of a single table, the application data table, which contains information regarding application data across a plurality of services, enables a decoder to define its operation in relation to such applications according to a number of different factors. *See Specification, pages 1-3.*

Turning to the rejection, new claims 48-64 require, in part, (i) a digital transport stream including a service; and (ii) an application carried by the service. Thus, the new claims require two distinct and separate data entities: a service and an application. Applicant respectfully asserts that DVB fails to teach or suggest the aforementioned two distinct data entities, as required by the claimed invention.

The DVB standard defines a service as a set of digital data managed by an operator and broadcasted in a transport stream through terrestrial, satellite, or cable transmission means to a plurality of receivers/decoders. The set of digital data generally corresponds to television programs and radio programs. Accordingly, Applicants respectfully assert that it is not reasonable to consider that an application could be equivalent to a service, particularly because in the context of the present invention, applications are *carried by* services, and the claimed invention clearly makes a distinction between the two terms.

The Examiner cites the Bouquet Application Table (BAT) as being relevant to the application data table claimed. *See Office Action* mailed April 10, 2008, p. 3. Applicants respectfully assert that the BAT and the claimed ADT are two distinct data entities and cannot be equated with one another. In DVB, the BAT provides a list of *services* available in each bouquet. In fact, DVB defines a bouquet as a set of services made available to users by an

operator. See DVB, page 15, section 5.2.2. DVB is completely silent with respect to any information contained in the BAT which relates to applications carried by each of a plurality of services.

The Examiner also refers to another table called an EIT that provides information regarding all the events contained within each service. Again, the EIT cannot be equated with the ADT of the claimed invention, as the EIT does not relate to applications carried by a service. The same reasoning applies to Table 12, on page 26 of DVB, cited by the Examiner. Table 12 of DVB does not teach or suggest that the tables in question can contain information regarding the applications carried by each of the plurality of services within the transport stream. Furthermore, the claimed invention, by purpose and advantageously, is directed toward a single and *unique* table, the application data table, that provides the decoder with all necessary information, rather than the use of multiple types of tables, such as the combination of a BAT and an EIT as taught by DVB.

Further, Metz and Akins fail to supply that which DVB lacks, as Metz and Akins were relied upon by the Examiner as teaching limitations that have now been removed from the new claims. See Office Action mailed April 10, 2008, pp. 3 and 7.

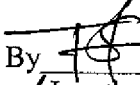
In view of the above, it is clear that DVB fails to support the rejection of new independent claims 48, 56, and 63. Pending dependent claims are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 11345/030001).

Dated: October 8, 2008

Respectfully submitted,

By  #45,079
Jonathan P. Osha THOMAS SCHERER
Registration No.: 33,986
OSHA · LIANG LLP
909 Fannin Street, Suite 3500
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)
Attorney for Applicant